



# COMMONWEALTH of VIRGINIA

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## MEMORANDUM

**TO:** James A. Rothrock  
Commissioner  
Virginia Department for Aging and Rehabilitative Services

**FROM:** Pamela B. Beckner  
Assistant Attorney General

**DATE:** January 17, 2017

**SUBJECT:** *Order of Selection for Services*  
22 VAC 30-20-90

I have reviewed the proposed amendments to the regulations entitled *Order of Selection for Services*, 22 VAC 30-20-90, that were promulgated by the Commissioner. The proposed amendments do not conflict with existing federal or state statutes or regulations, and they do not violate the United States or Virginia Constitutions.

The Commissioner has the statutory authority to promulgate these regulations under Virginia Code § 51.5-131. The Commissioner may promulgate these regulations as emergency regulations pursuant to Virginia Code § 2.2-4011 (A), because they are necessitated by an emergency situation as determined by DARS upon consultation with this Office.

The regulations shall become effective upon approval by the Governor and filing with the Registrar of Regulations. The regulations are consistent with DARS' mandate, and the Commissioner will not exceed his statutory authority by approving these regulations.